

There are stations throughout the country ready and eager to serve the public. The Commission should facilitate their ability to do so as much as possible.

3. LPTV operators unanimously stressed the importance of

from better call signs for their stations to avoid the confusion

ent and inferior.^{4/} CBA was serious in its initial comments in stating that if MST/NAB feel that armbands must be worn, let full-power stations wear them, and let LPTV stations be "disadvantaged" by going naked, clothed with no suffix. MSTV/NAB's objective of giving the public a way to tell full and low power stations apart would be achieved. The LPTV industry would accept that arrangement, but CBA doubts that the full power industry would have any interest in tagging their own call letters -- even if all stations did so, using "-FP" or "-LP" as appropriate.^{5/}

4. On the technical side, almost all commenters advocated some relaxation of both the "letter perfect" standard and restrictions on what kinds of changes are classified as "minor."^{6/} Different parties took different positions as to how far the relaxations should go. The important point is that some changes should be made to avoid the present booby traps that await even the most bona fide applicant under the letter perfect

^{4/} The fact that LPTV stations occupy spectrum on a secondary basis is a legal matter and has no impact whatsoever on what a viewer sees on his or her television receiver. The fact that a station is secondary means that it may have to move to another channel, or even go dark, some day; but as CBA pointed out in its initial comments, while the station is operating, it walks like a TV station and talks like a TV station, so it must be a TV station and should be identified as such.

^{5/} CBA does not interpret Findlay Television Corporation's suggestion of a "-CT" call sign suffix as advocating a suffix per se but only as a statement that if LPTV is to be saddled with the evil of a suffix, "-LP" a bad idea in all events.

^{6/} Even full power broadcaster CBS, Inc. (which has some in-

standard^{1/} and to give existing stations more flexibility to modify their facilities without waiting for infrequent filing windows. Several reputable consulting engineering firms prepared careful and detailed comments on these issues, which comments merit the Commission's attention. CBA urges that, whatever results the Commission reaches, they should be based on the following principles:

a. There should be provisions for correcting very minor errors, which do not affect the interference potential of a station.

b. Amendments should be liberally permitted if the result eliminates mutual exclusivity, but not if they create mutual exclusivity.

c. The definition of "minor change" should allow for transmitter site changes, because one of the most frequent events which forces a permittee or licensee to apply for a modification is loss of a transmitter site. If transmitter site changes are excluded, many LPTV stations will be pre-

^{1/} CBA does not believe that a relaxation of the letter perfect standard will attract application "mills" back into the business. Experience in the cellular telephone area has shown that "mills" are just as capable as anyone else of producing letter perfect applications. In fact, the more they produce, the better they become at achieving perfection. Therefore, the present rules are unlikely to deter the mills, and relaxation is unlikely to encourage mills. If mills have withdrawn from the LPTV business, it is because their speculator clients have come to realize an LPTV license is not a pot of gold and requires work to develop. CBA believes that the primary benefit from the letter perfect standard has been to facilitate prompt application processing by the LPTV Branch. If the Branch can do its work under a more relaxed standard, then applicants should be given the benefit of the relaxation.

vented from operating and serving the public while they wait for a new filing window and for processing of applications filed during that window.

d. The Commission should not modify its rules in a way that would impair the ability of the Low Power TV Branch to continue its record of efficient and timely application processing.^{8/}

5. Some commenters^{9/} raised questions about inadequate notice to applicants in filing windows of minor change applications which are filed and/or granted just prior to a window. A window applicant may diligently consult the Commission's most recently published database and yet find its application rejected because of a conflict with minor change of which it had no knowledge. This concern relates to notice of both minor changes and reinstatement of expired construction permits.

6. If minor change applications are cut off on the date they are filed -- a proposal which CBA supports -- then CBA has no objection to a brief suspension of the "instant" cut-off rule during a 30- or 45-day period before a window.^{10/} The moratorium could be announced in the same public notice that announces an upcoming filing window. CBA suggests that notice of

^{8/} The achievements of the LPTV Branch were widely applauded in the comments.

^{9/} Smith & Powstenko was notable in this regard.

^{10/} The ability to file minor change applications should not be suspended -- only the instant cut-off rule. All minor changes filed during the suspension period should be cut off at the close of the window.

any cut-off moratorium be given at least 30 days before the moratorium goes into effect, to allow those who need minor changes quickly to file for them, while also allowing time for those changes to be reflected in the publicly available television database.^{11/}

tial period of time to resolve, then the call-sign issue should be split off and acted on separately and soon.

Community Broadcasters Assn.
P.O. Box 9556
Panama City, FL 32407

Respectfully submitted,



Peter Tannenwald

Arent, Fox, Kintner,
Plotkin & Kahn
1050 Connecticut Ave., N.W.
Washington, DC 20036-5339
(202) 857-6024

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Counsel for the Community
Broadcasters Association

CERTIFICATE OF SERVICE

I hereby certify that on July 16, 1993, copies of the foregoing Reply Comments of The Community Broadcasters Association were mailed by first-class, United States mail, postage prepaid, to the following:

Gene A. Bechtel, Esquire
Bechtel & Cole, Chartered
1901 L Street, N.W., Suite 250
Washington, D.C. 20036

Melodie A. Virtue, Esquire
Haley, Bader & Potts
4350 North Fairfax Drive
Suite 900
Arlington, Virginia 22203-1633

Mr. Dane E. Ericksen
Hammett & Edison, Inc.
Box 280068
San Francisco, CA 94128-0068

Michael Couzens, Esquire
385 Eighth Street, Second floor
San Francisco, California 94103

Howard F. Jaeckel, Esquire
Andrew J. Siegal, Esquire
CBS Inc.
51 West 52 Street
New York, New York 10019

Charles W. Logan, Esquire
Covington & Burling
P. O. Box 7566
Washington, D.C. 20044

Barry D. Umansky, Esquire
National Association of
Broadcasters
1771 N Street, N.W.
Washington, D.C. 20036

Kelly T. Williams, Manager
Television Engineering
National Association of
Broadcasters
1771 N Street, N.W.
Washington, D.C. 20036-2891

Julian L. Shepard, Esquire
Association for Maximum
Service Television, Inc.
1400 16th Street, N.W.
Washington, D.C. 20036

Garry Spire, Esquire
Venture Technologies Group
23642 Calabasas Road
Suite 104
Calabasas, California 91302-1592

Mr. Richard West
Associate Vice President
Informations Systems and
Administrative Services
University of California
300 Lakeside Drive
Oakland, CA 94612-3550

Mr. S. K. Khanna
Cohen, Dippell and Everist
1300 L Street, N.W.
Suite 1100
Washington, D.C. 20005

Mr. D. J. Everett
310 Deepwood Drive
Hopkinsville, KY 42240

Joseph E. Dunne, III, Esquire
May & Dunne
1000 Thomas Jefferson Street, N.W.
Suite 520
Washington, D.C. 20007

Philip R. De Sano, Esquire
Viking Communications, Inc.
Ten Abbott Park
Providence, RI 02903

Mr. Michael Jett
Coordinator
Office of Special Projects
Northeastern State University
Tahlequah, Oklahoma 74464-7098

Larry Nelson, President
WFXV-TV, Inc.
1 Broadcast Center
Plano, IL 60545

Mr. Byron W. St. Clair
10150 West 74th Place
Arvada, Colorado 80005

Scott C. Cinnamon, Esquire
1901 L Street, N.W., Suite 200
Washington, D.C. 20036

John T. Scott, III, Esquire
Crowell & Moring
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2595

Mr. Louis R. du Treil
du Treil, Lundin & Rackley, Inc.
240 N. Washington Boulevard
Suite 700
Sarasota, Florida 34236

Kevin T. Fisher, Esquire
Smith and Powstenko
1233 20th Street, N.W.
Suite 502
Washington, D.C. 20036

Darwin Hillberry, President
The National Translator
Association, Inc.
P. O. Box 628
Riverton, WY 82501

John H. Battiston, PE
2684 State Route 60
Loudonville, Ohio 44842

Lucas S. Calabrese, Jr.